Preserve

App. F. IX-4

Previous References

78 - 27 1 - —

83 - 13 - 1 - 10.

1932.
(Mozrai)

File No. 183 -

Serial Nos. 1 —

Later References

General and Revenue Secretariat.

Serial Nos. 6.

Part B for January 34.

SUBJECT.

Subbaraya Bhatta alias Kada Appeal of the Archak Sri Umamaheswara Swami &c. the Bhimanakatte agt the Mozg orders directing the renewal of the archaka in of his paying Rs 100/- due to the Bhimanakatte

To the Mozg Courts
No 935 of 8 1 3

Forwards a copy of the decision setting aside the Mozg Courts orders for necessary action

General and Revenue Secretariat

File No. 183 of 1932.

Serial No.

Petition dy 10.2-33 - from Subbaraya Bhatta alias Kada Bhatta Son of Venkatarama Bhatta Archak residing at Bhimanakatte Haval of Hulbagal Tirthahalli Taluq Shimoga District appealing the order of the Mysore Commissioner directing that he may be removed from the Archakship of Sri Uma Maheswara Swamy temple at Bhimanakatte in default of his paying Rs 100/- due to the Bhimakatte Mutt.

Minute of the First Member of Council on the P.W.D.

"He has promised to produce a copy of H.C's order which may be awaited."

Petition dy 13.2.33 filed by Mr D. Shama Rao Advocate Bangalore city on behalf of his client Sri Subbaraya Bhatta referred to above praying for a Stay of the order issued by the Mysore Commissioner pending disposal of the appeal preferred.

Orders of the First Member of Council on the 2nd P.W.D.

"I do not think any

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

Index A/XXI/15 of 32-33

File No 183 of 1932-33. General and Revenue Secretariat

is called for. Please call for records and post for hearing early"

Copy calling for records & addn to the Advocate declining the grant of Stay order sd/-

GN 14/2

14/2

O. m. No 1223 of 24. 2.33 to the Mysore Commissioner calling for records connected with the Case. 3

No 1224 of 24 2-33 to Mr D. Shama Rao Advocate Bulepet. Bangalore city intimating that No Stay order is called for.

25/2

Letter no 901/32-33 of 17-4-1933 from the Mysore Commissioner submitting records relating to the appeal preferred by Subbanaya Shetty alias Kada Shetty about the Sum of Rs 1001/- due by him to Sri Bhimanakatte Mutt.

A brief history of how Sri Ramanakoppa became at Bhimanakatte together with lands belonging to it came to the control of Sri Bhimanakatte Mutt is furnished in paras 1-5 of the Shimoga Deputy Com'rs letter No Misc. &c. 629/26-27 of 24/9/27 In the last portion of para 12 of the same letter

Revenue Appl 15 of 32-33

[App. F. III—2

General and Revenue Secretariat — Revenue File No. 183 of 1932

Serial No.

the D.C. Shimoga refers to a sum of Rs 478-12-6 due by Kada Bhatta to Sri Bhimanakere Mutt & a civil Suit having been filed by the latter Mutt for the recovery of the sum. The amount of pay & pratishta fees due to the Arcaka Kada Bhatta have been adjusted as in the receipts obtained by the Amildar on 17/11/28. A sum of Rs 377-12-6 has been collected from the arrears of pay towards the entire satisfaction of the decree obtained by the Mutt. & this appears to have been done as per M.C's order no D 2 dtd 164/28-29 dtd 16/8/28. The Shimoga ref^e is invited to a certified copy of Execution no 603-/19-20 in O.S. No 70/19-20. The lands referred in para No 5 of 8+22 are found to have been purchased by the Lawyer's Clerk one K. Pandu Rangarao for a sum of Rs 1007-, vide sale continued on 28/3/1922.

In para 1 of his order no to 38/30-31 dtd 14-11-32 the ref^e refers to the two S. Nos 8+22 (vide civil Court for Rs 100/-) having gone to the share of Kasubhatta's brother during the family partition which was effected on 10/7/1911. In this connection it may be

NOTE—Contn. Sheet.

Mun appl 15 of 32-33 re: Rs 100/- Dues by Subdeary a Bhatta - amount resisting at Bhimanakatte to Sri Bhimanakatte Mutt

Mun File No | of 193 | General and Revenue Secretariat

Mun

Died in may 1922

Mutt Mun There was enough time for the Swamigalu to have proceeded against Kadabhatta in may/1922 - as the land first given as Security for the loan later went to his brother's share. It was open to the Swamigalu to have legally insisted on Kadabhatta to draw up in his favour a separate bond deed securing the loan given by the mutt. Under G.O no 1241 2/mun 178 27-2 dt 1/2/28 the temple of Sri Umamaheswara Swami at Bhimanakatte came under Govt Management, & whether action against the arrack is sustainable at this date of time in respect of transactions prior to may/1922 when in fact the institution was under the Management of the previous Swamigalu of Sri Bhimanakatte Mutt. & while a Civil Court decree had already been obtained by the Swamigalu against the present appellant.

Habad, Law Secy: wide Consultation dt 25/4

Vide two minutes of the First and II Member of council dt 12/1 2/33/- The Case is ordered to be posted for a hearing before for orders as to the date of posting the same —

Govt of the Second Member of Council 7 APR 1933 No 71 30

25/4

Posted for orders as to the date of hearing

27/4/33

II Member)

9) may be posted for 27th inst

25/4

27/4

Pl

Mug ABM 15 of 32-33 Re: Rs 100/- due on
acc of Sulabaraya Mahalu on account to Sri
Sonnai Anantha Mutt [App. F III—?

General and Revenue Secretariat

Mug File No. 183 of 1932

Serial No.

10) This case was called on 9th Sept 1933
The petitioner with his advocate
Mr D. Shama Rao was present
and the case was heard at
length the orders reserved

11) JPM 9.9

Order

12) The order of the Inam Com^r
directing the removal of the appellant
from the archakaship if he did not pay the Sum
of Rs 100 cannot be upheld
Sustained, The amount due from him
of which the Sum of Rs 100 formed a
part was the subject of litigation
& a decree was obtained agst him
The mutt however did not take proper steps
to enforce the decree There is no
proof of any wilful fraud on the
part of the appellant & therefore
the recovery of the amount of Rs 100
by directing his removal from the
office of archakaship is not justified
The Inam Com^r's order is accordingly
set aside

Note—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

File No. 183 of 1932. | General and Revenue Secretariat

D/L dtd 2/1/34

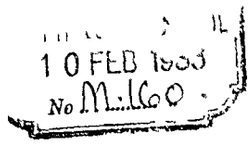
5/1/34

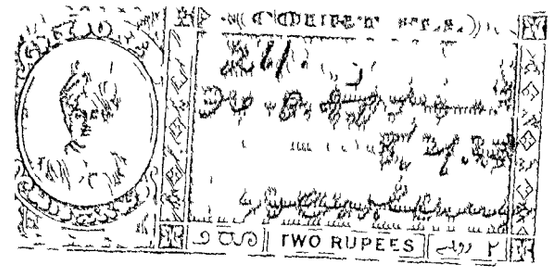
TYPING SECTION 5 JAN 1934 GEN. & REV. SECT.

6

No 935-S 8.1.34 to the Mukhtar Commissioner forwarding copy of the decision in the appeal case for necessary action.

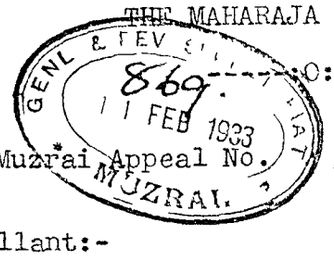
No 936 S 8/1/34 to Mr D. Sharma Advocate for the petitioner intimating the decision in the case.





BEFORE THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE. Muz 183-32-1



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Muzrai Appeal No. 15 of 1932-33.

Appellant:-

Subbaraya Bhatta alias Kada Bhatta, son of Venkataramana Bhatta, Archak, residing at Bhimanakatte Hamlet of Mulbagal, Thirthahalli Taluk, Shimoga District.

The appellant above-named respectfully beg to state as follows:-

1. That the Appellant has been served with a notice dated the 3rd January 1933 herewith produced from the Amildar of Thirthahalli Taluk stating that the Muzrai Commissioner has ordered in C. No. 1038 of 1930-31 dated the 11th November 1932 that a sum of Rs. 100/- alleged to be due to the Bhimanakatte Mutt by the petitioner should be recovered from him and that in case he failed to pay it he should be removed from the Archakship of Umamaheswara Temple at Bhimanakatte. The endorsement further states that the amount must be paid within a week and that ir default of doing so, necessary action would be taken.

2. That the appellant respectfully submits that he has not played any fraud on the Mutt and that the interests of the Mutt have not in any way suffered at his hands.

3. That the appellant had execute ar on-demand pronote for Rs. 100/- in favor of one

one Anandathirthachar of Bhimanakatte. The said Anandathirthachar indorsed over the said pronote in favor of Mutt, who filed a suit against the petitioner and obtained a consent decree, in O.S. No. 70 of 1919-20 on the file of the Munsiff, Shimoga. In execution of the said decree in Execution No. 605 of 1919-20 the Mutt got Survey Nos. 8 and 22 situate at Horani Village attached and brought to sale on the 21st March 1922. On behalf of the Mutt one Panduranga Rao purchased it for Rs. 100/- and the sale was confirmed on the 30th May 1922. The Swami of the Mutt died. Then one Hayagrivachar, Agent of the Mutt in whose name the Khata of Survey No. 8 had been made out failed to pay the assessment and consequently the land was sold and purchased by Bigamudre Venkatasubbannachar of Thirthahalli. The sale was confirmed in his favor with the consent of the said Hayagrivachar. He sold it away to Ananda Rao for a sum of Rs. 800/-, who also sold it away in his turn.

4. Thus it is clear that the sum of Rs. 100 has been realised by the Mutt; that the subsequent sale and other transactions were fraudulently brought about by the said Agent of the Mutt and that the petitioner is not in any way responsible.

5. That it is true that at the division of the family properties in the year 1911 the said numbers fell to the share of the petitioner's brothers, viz., Gopala Bhatta and Narayana Bhatta. As Narayana Bhatta died a bachelor 4 or 5 years after partition, the petitioner succeeded to the said properties. The observations in the endorse

endorsement that the petitioner had no right in the said lands and that he caused unnecessary loss to the Mutt are not correct.

6. That the sum of Rs. 374/- was also recovered from the petitioner out of the sum of money that was due to him.

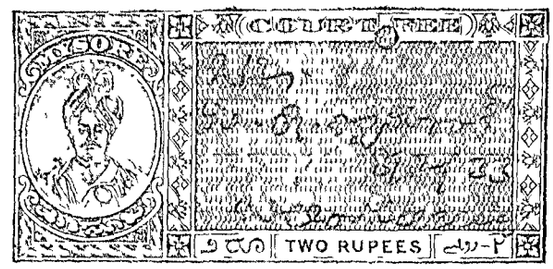
7. That the said Hayagrivachar is a very close relative of the deceased Swami and it is he that has deprived the Mutt of the land and caused loss to it.

8. That the appellant submits that for the reasons aforesaid it is clear that he is not liable to pay Rs. 100/- to the Mutt and the claim is unsustainable.

9. That he further submits that the Exparte Order passed by the Muzrai Commissioner is liable to be set aside.

Wherefore, the appellant most humbly prays that the Government may be pleased to call for the records and set aside the order of the Muzrai Commissioner.

Bangalore,
10-2-1933.



12

Before the munsif Commissioner in, ಕೋರ್ಟಿಗೆ.
mysore, Bungalore.

1932—1933ನೇ Munsif.p ನಂಬರು

ವಾದಿ ಯಾ ಅರ್ಜಿದಾರ್.

Subbaraya Bhatta
alias Kuda Bhatta
.....

V. S.

ಪ್ರತಿವಾದಿ ಯಾ ಅಪೋನೆಂಟ್.

.....
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.....

ಮು|| ರಾ|| ಡಿ. ಶಾಮರಾವ್ ಬಿ.ಎ, ಎಲ್.ಎಲ್.ಬಿ., ಅಡ್ವೊಕೇಟ್

ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮ

I, the petitioner above named.

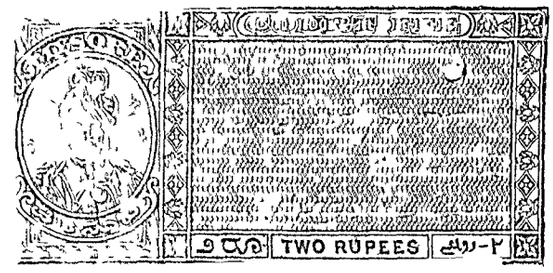
ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಜ್ಞೆರುವರಿಗೂ ಕೋರ್ಟ್‌ನಲ್ಲಿ ವಿವಾದ ಜರುಗಿಸುವುದಕ್ಕೂ ನನ್ನಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ, ಡಿಕ್ರಿಯನ್ನೂ, ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣವಸೂಲು ಮಾಡಿ ಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಸಿಲ್ಕು ಮೊಬಲಗು ಸಹ ಪಡಿಯಲಿಕ್ಕೂ, ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾವಸು ಪಡಿಯಲಿಕ್ಕೂ ಸಹ ಕಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನಡಿಸುವ ಎಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ.

ತಾರೀಖು } ರುಜು

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯ ಸ್ವರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ. } ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದ್ದೇನೆ.

ಅಡ್ವೊಕೇಟರು.

M. P PRESS, B CITY



M.162
13 FEB 1933

Muz 183-32-2 /3

Before the Government of His Highness

the Maharaja of Mysore,

at BANGALORE.

Muzarai Appeal No. 15 of 32-33.

Appellant:- Subbaraya Bhatta alias Nadabhatta, Archak, residing at Bhimanakatte, Thirthahalli Taluk.

GENL. & REV. SECRETARIAT
873
13 FEB. 1933
MUZRAI.

I do not think stay can be granted. Please call for records & hear early
13/2/33

The Appellant above-named begs to state as follows:-

1. That on 10-2-32, the appellant presented an appeal to the Government against the Order of the Muzarai Commissioner in C. No. 1056 of 1930-31, dated the 11th November, 1932, directing the levy of a sum of Rs.100/- alleged to be due from him to the Bhimanakatte Mutt.

2. That as the Appellant had not produced a certified copy of the Order appealed against, he was directed to produce the same. He has produced it today along with a memo.

3. That the appellant respectfully submits that the matter is purely one of a Civil nature and that the order under appeal is clearly unsustainable in law.

4. That the Assistant Commissioner and the Deputy Commissioner have erred in thinking that the lands in question belonged to the appellant's brother and that the Appellant defrauded the [illegible] authorities by declaring that the said lands belonged to him, in as much as , after the death of the Appellant's brother who died issueless, the appellant succeeded to all his properties. There is absolutely no fraud of any kind on the part of the Appellant.

5. That the Lower Courts have also failed to consider that at the Civil Court Sale held in execution of the decree against the appellant, the said lands were purchased by one Panduranga Rao, on behalf of the Mutt, for Rs.100/- and that the Sale also was duly confirmed. If the Mutt did not afterwards take any further action in the matter as alleged in the Order, the appellant is in no way responsible.

6. That as the Mutt defaulted in payment of the assessment due on S. No. 8, it was sold by the Revenue authorities and one Venkata-subbannachar purchased.

7. That it is thus clear that the appellant is in no way responsible for the default of the Mutt, and he is not liable to pay the sum of Rs.100/-.

8. That the Amildar of Thirthahalli has taken coercive steps against the appellant for

for recovery of the said sum of money.

9. That, in view of the fact that the Order under appeal is, on the face of it, unsupportable and in view of the fact that if the Order is allowed to be executed before disposal of the appeal, the Appellant will be put to substantial loss, he submits that it is essential for the ends of Justice that the execution of the Order under appeal should be stayed until disposal of the Appeal.

10. The Appellant respectfully prays that the Government may be pleased to order stay of execution of the Order under Appeal until disposal of this Appeal.

Bangalore,
15th Feby. 1933.

Yours obedt. servt.
for appellant

BEFORE THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE

AT BANGALORE.

Muzarai Appeal No. of 32-33.

Appellant:- Subbaraya Bhatta, alias Kada Bhatta, Archak, residing at Bhimana Katte, Thirthahalli Taluk.

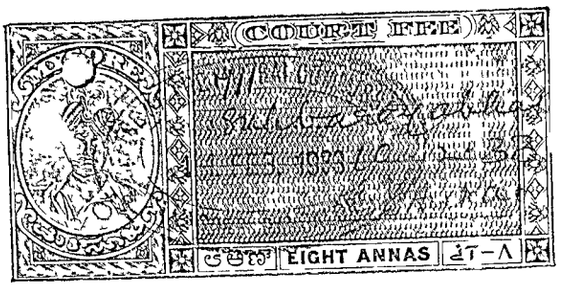
Appellant's Memo.:-

1. That on 10-2-33, the Appellant presented an appeal against the Order of the Muzarai Commissioner, in C. No. 1038 of 30-31 dated the 11th November, 1932, directing the levy of a sum of Rs.100/- alleged to be due to the Bheemanakatte Mutt from the Appellant.

2. That the Appellant produced with the Memo of Appeal only an Endorsement granted to him by the Amildar of Thirthahalli. He was directed to produce a certified copy of the Order of the Muzarai Commissioner.

3. That the Appellant herewith produces a certified copy of the Order appealed against and prays that the Appeal may be admitted and posted for hearing.

Bangalore,
13th Feb. 33.



Order of the mysore commissioner in

Mysore

Reference:-

This office order Dy No 164/28-29 Dated 17th August 1928 sanctioning the payment of a sum of Rs 864/- to Kada Bhatta, archak of the Sri umamaheswara swami temple at Bheemanakatte Thirthahally Taluk deducting therefrom a sum of Rs 377-12-6 in full adjustment of Rs 477-12-6 due by him to the Sri Bheemanakatte Matha under a civil court decree.

correspondence ending with letter No mys A. C 1193/26-27 Dy 13-10-1932 from the Deputy commissioner Shimoga Dist

Order No C 1038 of 30-31 Dated 14-11-1932

The late Swamigalu of the Sri Bheemanakatte Matha filed a suit against Subbaraya Bhatta alias Kada Bhatta for Rs 477-12-6 and obtained a decree. In the execution proceedings taken for the realization of the above amount two lands, Survey No 25 Acre

22 Horani village alleged to belong to the judgment-debtor were purchased by the matha for Rs 100/- subject to certain previous hypothecations. The Matha authorities do not seem to have taken any action thereafter either to get possession of the lands or to the Khata transferred. It is now ascertained that during the partition the two lands went to the share of the brother of Kadabhatta and that survey No 8 which stood in the name of one Kayagrivacha was sold for arrears of revenue on 5th August 1922 and purchased by one Venkatasubbaramachar for Rs-50/- and that the other No 22 was sold in satisfaction of a decree by the Civil Court. The Deputy Commissioner states that when the arrears of pay was paid to Kadabhatta only a sum of Rs 377-12-6 was deducted under the belief that the sum of Rs 100/- had already been adjusted when the two survey Nos 8 and 22 were purchased on behalf of the Matha; But really the authorities by declaring Surveys Nos 8 and 22 to belonging to him and the Deputy Commissioner, therefore

proposes that if he does not pay the sum of Rs 100/- still due from him he should be removed from the archakship of the temple as he is unworthy of credit

2) In the circumstances explained the Deputy Commissioner's suggestion to call upon Kada Bhatta to pay Rs 100/- is approved. The result of the action taken may be communicated in due course.

Sd/ S. Hiriyannaiya

Muzrai Commissioner

Copy applied for by Subbarayya Bhatta alias Kada Bhatta on 10.2.33

Copy ready on 11.2.33

Copy delivered on 11.2.33

No. of words 350

Copying fees 0-8-0

Comparing fees 0-2-0

Total 0-10-0

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Manager

Muzrai Commr.

OFFICE OF THE ... 11 FEB. 1933

App. F. G. 9]

GOVT. OF H. H. THE MAHARAJA
OF MYSORE.

GEN. & REV. SECRETARIAT.

1223 Encl file 24-2-33.
Mucz 183-32-3.

OFFICIAL MEMORANDUM.

No. Hu:ABP(C) no 15 of 32-33

The accompanying Petition Registered
Nos. 869 & 873 dated 10.2.33 & 13
~~received at the General and Revenue~~
~~Secretariat from~~ Filed by her
D. Shamarao Advocate
Bangalore City on behalf of
his client Subbaraya Bhatta
alias Kadu Bhatta son of
Venkataramana Bhatta,
Archak residing at Bhimanakatte
Hamlet of Mukkaagal -
Tirthahalli Tk. appealing against
the order of the D.C. in
the matter of his being removed
~~from the~~ Archakship of
Sri Lakshmanakeshava Swamy
~~is forwarded, together with its enclosures~~
~~to the~~ temple at Bhimanakatte
in default of his paying the
sum of Rs. 100/- ordered to
~~be~~ paid by Bhimanakatte Mutt
is forwarded to the Commissioner
of the Mysore Govt. for his
information and the records
of the case are also returned.

Order,

12/2/33
for Secretary.

BANGALORE,
14.2.1933

[P. T. O.

WD 02048 -GPB—3750—8-8-28

ತಜ್ಜಿದಾರಿ . . . . . ತಾಲ್ಲೂಕು

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ಮರ್ಕುಮಿನ ಅರ್ಜಿಯನ್ನು . . . . . ಬಗ್ಗೆ

. . . . . .

. . . . . ರವರ ಬಳಿಗೆ ಕಳುಹಿಸಿದೆ

ಬೆಂಗಳೂರು.

By Order,

Secretary.

7/224

Mes 183-32-4

15th February 1933

The

Mr. D. Shama Rao, B.A., LL.B.,
Advocate, Balepet, Bangalore City.

Dear Sir,

With reference to petition dated 13th February 1933 filed by you on behalf of Subbaraya Bhatta alias Kada Bhatta, Archak, residing at Shimanakatte, Thirthahalli Taluk, praying that the execution of the order of the Muzrai Commissioner appealed against may be ordered to be stayed until the appeal is disposed of, I am directed to state that no stay order is called for.

Yours faithfully,

Financial Secretary to Government.

J.R.G.3

List of enclosures .....

Copied by .....

Examined by .....

1225 & 24-2-33

WD 71—GBPM—40,000—20-7-32

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.....ರವರ ಖಳಿಗೆ ಕಳುಹಿಸಿದೆ

ನಿಮ್ಮಗಳವರು.

By Order,

Secretary.

Mes 183-32-4

15th February 193

24

The

Mr. D. Shama Rao, B.A., LL.B.,
Advocate, Balepet, Bangalore City.

Dear Sir,

With reference to petition dated 13th February 1933 filed by you on behalf of Subbaraya Bhatta alias Kada Bhatta, Archak, residing at Bhimanakatte, Thirthahalli Taluk, praying that the execution of the order of the Muzrai Commissioner appealed against may be ordered to be stayed until the appeal is disposed of, I am directed to state that no stay order is called for.

Yours faithfully,

Financial Secretary to Government.

C.R.G.3

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ಬೆಂಗಳೂರು.

Secretary.

Appendix F G—1]

UBJECT .....

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Section Mem

File No. 183-32

Serial No. 1

Diary No. of letter replied to .....

No. 1224

To

Sri V. Shama Rao BA BL
Advocate — Kalpetta

Bungalow Circle.

Subject:- Removal of plantains & trees from the premises of Sri Kunhikkelu Nambiar Swamiji Mem Sri, Chembrakkal Thirumanathattu Illam Payyanur Taluk (Kadappuram Illam) - Kasaba Amsom - Petition thereof

With reference to your

Dy 13-2-33 filed by you on behalf of Subbaraya Bhatta alias Kada Bhatta Archaka residing at Brimanakkalai Tirumakali

TK I am directed to state that no stay order is called for. ~~You have filed~~ the

~~Stay of proceedings passed by the M.C. cannot be complied with~~

Yours faithfully

14/2

For Sec

Dated 14-2-33.

Copy to M.C. for information.

B. O

14/2

For Sec to TE

GV 14.2.33

With the connected

Date of issue 24/2/33

Signed by [illegible]

praying that Pending the enactment of the order of the M.C. appealed against may be ordered to be stayed until the appeal is disposed of

List of enclosures .....

Copied by .....

Examined by 1225 24-2-33

WD 71—GBPM—40,000—20-7-31

33 Inc 52 files

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE.

Bangalore, 13th April 1933

GEN. & REV. SECRETARIAT
19 APR. 1933
MUZRAI

FROM

Muz 183-32-S

17.0

93

S HIRIANNAIYA, Esq., M.A., B.L.,
Muzrai Commissioner in Mysore,
Bangalore.

Palace Office
No.

To

S. Shamanna, Esquire., B.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
Finance *Department*

18/4

SIR,

With reference to your O.L.No.1223/Muz.183-32-3 dated 24th February 1933, calling for the submission of records relating to the recovery of arrears of Rs.100/- due to Sri Bhimanakatte Mutt by Kada Bhatta, Archak of Sri Umamaheswaraswami Temple at Bhimanakatte, Thirthahalli Taluk, I have the honour to forward herewith the entire file of vernacular records received with the Shimoga Deputy Commissioner's letter No.Muz.A.C.1193/26-27 dated 5th April 1933 (copy enclosed) and to state that the facts of the case have been set forth in this office order No.C.1088/30-38 dated 14th November 1932 (File D1 Dis. No.188 of 32-33 - enclosed).

The
P.T.O.

24 The enclosures to your Official Memorandum are herewith returned.

I have the honour to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

Letter No.Muz.M.C.1193/26-27 dated 8thApril 1933 from the Deputy Commissioner, Shimoga District to the Muzrai Commissioner in Mysore.

With reference to your memo No.901/32-33 dated the 3rd March 1933, calling for the submission of records relating to the recovery of arrears of Rs.100/- due to Sri Bheemanakatte Mutt by Kada Bhatta Archak of Sri Umamaheswaraswami temple at Bheemanakatte, Thirthahalli Taluk, I have the honour to forward herewith the entire file of records received from the Sub Division Officer of Shimoga, with his No.R3.C.1339-631/31 dated the 30th March 1933.

"C o p y"

For Muzrai Commissioner.

Before the Government of His Highness the

Maharaja of Mysore.

Muzrai Appeal No.15 of 1935-36.

Petitioner:—

Subbaraya Bhatta alias
Kada Bhatta, son of
Venkataramana Bhatta
Archak-residing at Bhimanakatte
Tirthahalli Taluk, Shimoga District.

Subject.

Appeal against the order of the Muzrai Commissioner approving of the Shimoga Deputy Commissioner's proposal regarding the removal of Kada Bhatta from the archakship of Sri Umamaheswaraswami temple at Bhimanakatte-Tirthahalli Taluk, if he fails to pay Rs.100/- due by him to Sri Bhimanakatte Mutt.

The case was called on 9th September 1936. The petitioner with his counsel Mr.D.Shama Rao was present and was fully heard.

Order in M. / Muzr 183-32-6.

The order of the Muzrai Commissioner directing the removal of the appellant from the archakship if he did not pay the sum of Rs.100 cannot be sustained. The amount due from him, of which the sum of Rs.100/- formed a part, was the subject of litigation and a decree was obtained against him. The Mutt however did not take proper steps to enforce the decree. There is no proof of any wilful default on the part of the appellant and the recovery of the amount or Rs.100 by it from him his removal from the office or archakship is not justified.

The Muzrai Commissioner's order is accordingly set aside.

Copy to me. 935/ (sd) B. Muddukrishnappa,
For Financial Secretary
to Government.

936/ Copy to me 4. To- The Muzrai Commissioner in Mysore with the connected
The Secretions

Before the Government of His Highness the
Maharaja of Mysore.

Misc 3 Appeal No. 15 of 1932-33

~~Appellant~~
Petitioner
Subbaraya Bhatta alias
Kada Bhatta Son of
Venkatachar alias Bhatta
Aged about - residing at Bhimanakalle
Tirthahalli Tk - Shimoga Dt.
Subject.

~~Appeal against the order of the~~ Petition under Sec 133 Cr. P. C. praying for removal of ~~affixing of the~~ Shimoga D.C's ~~prohibition~~ regarding the erection of ~~Darshana~~ Kada Bhatta ~~from the Archaka~~ Sri Rama Maheshwara Swamy Temple at Bhimanakalle - Tirthahalli Tk. ~~Shimoga~~ if he fails to pay ~~remanded from Office~~ Rs 1001/- One begun to Sri Bhimana. - Kalle Mutt.

The case was called on 9th Sept 1933
The petitioner with his Counsel Mr.
D. Shama Rao was present &
~~the~~ was fully heard -

order.

(Here enter the minute in para 2)

Copy to 936/Mug/S 1-34 Shanta Rai BA LLB
Advocate for the petnr

B-O

5/11/34
for the Sce

735/Mug/S 2-22-6 & 1-34 Records file
Copy to the Mun returning
records received with his
letter No. 904/32-33 dt 17.4.1933

B-O

5/11/34
for the Sce.

2/11/3